

Exhibit 15

1 IN THE UNITED STATES DISTRICT COURT
2 FOR THE NORTHERN DISTRICT OF OHIO
3 EASTERN DIVISION
4 - - -
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6 IN RE: NATIONAL : HON. DAN A.
7 PRESCRIPTION OPIATE : POLSTER
8 LITIGATION :
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10 APPLIES TO ALL CASES : NO.
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11 SUBJECT TO FURTHER CONFIDENTIALITY REVIEW
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15 Videotaped deposition of
16 JONATHAN R. MACEY, taken pursuant to
17 notice, was held at the offices of
18 Kirkland Ellis, LLP, 601 Lexington
19 Avenue, New York, New York, beginning at
20 9:10 a.m., on the above date, before
21 Michelle L. Gray, a Registered
22 Professional Reporter, Certified
23 Shorthand Reporter, Certified Realtime
24 Reporter, and Notary Public.

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<p style="text-align: right;">Page 250</p> <p>1 my report or the -- points, the analysis 2 in Paragraphs 12 through 16 of my report 3 provide -- are consistent with and 4 provide further support for Opinion 5 Number 7, particularly. 6 Q. Are there any additional 7 bases of support for Opinion Number 7 8 that are not referenced in your report 9 under this section? 10 A. I mean I could be more 11 specific and expand on how these various 12 doctrines support Opinion Number 7, but 13 it would just be being a little bit more 14 specific, which I'm happy to do. It 15 wouldn't be providing additional sources. 16 Q. Are there any additional 17 documents that are not cited in this 18 section that are supportive of your 19 Opinion Number 7 that you reviewed? 20 A. No. 21 Q. So you have no corrections 22 as you sit here today to your expert 23 report; is that right? 24 A. I have no substantive</p>	<p style="text-align: right;">Page 252</p> <p>1 request that any inaccuracies in 2 the written report discovered 3 after today please be provided to 4 us in advance of trial. Would you 5 agree to that, Counsel? 6 MS. LEVY: We will agree to 7 that. 8 BY MS. BAIG: 9 Q. Do you have any outline of 10 this report or notes associated with this 11 report? 12 A. No. 13 Q. Do you have any additional 14 plans on working on this case other than 15 what you've already testified between now 16 and trial? 17 A. No. 18 Q. Is there anything additional 19 that you feel that you need to do in 20 order to give opinions about this case at 21 trial? Is there any additional work that 22 you feel you need to perform? 23 A. At the moment, no. I would 24 anticipate that should other expert</p>
<p style="text-align: right;">Page 251</p> <p>1 corrections. I believe when I read 2 through my report in connection with my 3 preparation for today's deposition, I 4 found a couple of typographical errors, 5 but I'm not sure that I could identify 6 them right now, and I found no 7 typographical errors that would affect or 8 change my opinion -- oh, so for example, 9 if one were to look on Page 18, Paragraph 10 32 of my deposition, the very end -- 11 Q. Of your report you mean? 12 A. Did I say deposition? I'm 13 sorry my report. I think there are two 14 periods after the word "efficiency." So 15 I would delete that. 16 But other than corrections 17 of that kind, I don't have any 18 corrections to my report. 19 Q. So the report and all 20 exhibits are complete and accurate to the 21 best of your knowledge as you sit here 22 today; is that right? 23 A. Yes. 24 MS. BAIG: I would again</p>	<p style="text-align: right;">Page 253</p> <p>1 reports be filed in the future related to 2 the subject matter of my testimony today, 3 that I would review those, but I have no 4 current awareness of any such reports or 5 immediate plans to review any such 6 reports. 7 Q. And you have no plans to 8 review any additional documents prior to 9 trial? 10 A. Not -- no, sitting here 11 right now, I have no such plans. 12 Q. Is there any information 13 that you do not currently have that would 14 either strengthen or weaken your 15 opinions? 16 MS. LEVY: Objection to 17 form. Calls for speculation. 18 THE WITNESS: Certainly, as 19 I say specifically in my report, I 20 would never -- I would not rule 21 out the possibility that something 22 could happen that would change my 23 mind. I specifically would refer 24 to Paragraph 6 on Page 4 of my</p>

<p style="text-align: right;">Page 254</p> <p>1 report where I reserve the right 2 to modify or supplement the 3 opinions in light of new evidence. 4 It's certainly -- I would 5 not rule out or consider it 6 impossible or unimaginable that 7 there could be additional evidence 8 that would cause me to reconsider 9 my opinion. I'm not aware of any 10 such evidence or even of the 11 possibility of the existence of 12 any such evidence. 13 But it certainly, as a -- as 14 a -- as a statistical matter, the 15 probability is greater than zero 16 that such evidence might exist 17 that could reinforce or undermine 18 the opinions that I've expressed 19 today. 20 BY MS. BAIG: 21 Q. Are there any facts that you 22 can think of as you sit here right now 23 that would -- that would influence or 24 change your opinions in any way?</p>	<p style="text-align: right;">Page 256</p> <p>1 what new information came out. 2 Q. Anything else that you can 3 think of right now? 4 A. No. 5 Q. Any additional categories of 6 documents that could change your opinion 7 that you haven't reviewed already? 8 A. No, not -- I don't believe 9 so. 10 Q. And there's nothing more to 11 your knowledge that needs to be reviewed 12 in order to support your opinions; is 13 that right? 14 A. That's correct. 15 Q. How certain of you are 16 your -- how certain are you of your 17 opinions in this case? 18 MS. LEVY: Object to form. 19 BY MS. BAIG: 20 Q. Do you have a degree of 21 certainty? 22 A. Mm-hmm. I would say I -- 23 with respect to the opinions expressed in 24 this report, I am extremely certain, I</p>
<p style="text-align: right;">Page 255</p> <p>1 A. Any particular facts? Or -- 2 I'm not quite sure. I'm not quite sure. 3 I mean, I don't -- I don't -- if -- if -- 4 if it were revealed to me that Mr. -- 5 that -- that -- that Mr. Hertz's 6 declaration or Mr. Kaufhold's declaration 7 or the -- or the -- or the master 8 purchase agreement or the public 9 reporting of the companies that I cite in 10 Roman Numeral II, if there were -- if it 11 turned out that these were factually 12 wrong and I was predicated some or 13 portions of my opinion on incorrect 14 factual assumptions, that could have an 15 effect on my opinion, I suppose. It's 16 certainly within the realm of 17 possibility. 18 I have no reason to believe 19 that there are any -- that these 20 documents are fraudulent or there's 21 anything mistaken about it. But 22 certainly if I were apprised of that 23 fact, it would change my -- it could 24 likely change my opinion, depending on</p>	<p style="text-align: right;">Page 257</p> <p>1 could say that in the -- I've never been 2 more certain about my opinion in any of 3 the 80 cases in which I've testified as 4 an expert witness, so I would hold these 5 opinions with an extremely high degree of 6 certainty. 7 Q. Have you met with any other 8 experts in this case? 9 A. I have not. 10 Q. And you have -- I think 11 you've said before that you have not met 12 with any other lawyers for any of the 13 other defendants, correct? 14 A. That is correct. 15 Q. Are you aware of -- of who 16 the experts are that have been retained 17 in this case? 18 A. I am not. 19 Q. You're not aware of any of 20 them, any of the names of any of the 21 experts in this case? 22 A. I am not. 23 Q. So it's safe to assume that 24 you have not reviewed any other expert</p>

<p style="text-align: right;">Page 258</p> <p>1 reports in this case?</p> <p>2 A. That is correct. I've not</p> <p>3 reviewed any other expert reports.</p> <p>4 MS. BAIG: I'm close to the</p> <p>5 end, so why don't we take a</p> <p>6 five-minute break.</p> <p>7 THE WITNESS: Okay. Good.</p> <p>8 THE VIDEOGRAPHER: Off the</p> <p>9 record at 3:06 p.m.</p> <p>10 (Short break.)</p> <p>11 THE VIDEOGRAPHER: We are</p> <p>12 back on the record at 3:18 p.m.</p> <p>13 BY MS. BAIG:</p> <p>14 Q. Okay. Has your testimony</p> <p>15 ever been excluded from trial?</p> <p>16 A. My testimony has never been</p> <p>17 excluded in the sense that I've never</p> <p>18 been prohibited from testifying. I</p> <p>19 believe there have been cases where my</p> <p>20 testimony has been curtailed such that a</p> <p>21 particular topic, like professional</p> <p>22 responsibility, was kind of preemptively</p> <p>23 excluded as a topic for my testimony.</p> <p>24 But to my knowledge, while</p>	<p style="text-align: right;">Page 260</p> <p>1 about. But it had something to with</p> <p>2 Colombia, the country Colombia, an oil</p> <p>3 pipeline there and an investment in it.</p> <p>4 And I was permitted to testify about</p> <p>5 corporate governance matters, but I was</p> <p>6 not permitted to testify about issues</p> <p>7 related to professional responsibility of</p> <p>8 lawyers, although my testimony has was</p> <p>9 not being offered relative professional</p> <p>10 responsibility of lawyers. But the judge</p> <p>11 said that I shouldn't -- that at trial</p> <p>12 that I wouldn't be allowed to testify</p> <p>13 about that.</p> <p>14 Q. Wait, wait. Who was the</p> <p>15 judge?</p> <p>16 A. I don't recall.</p> <p>17 Q. State or federal court?</p> <p>18 A. I don't remember if it was</p> <p>19 state or -- I don't recall.</p> <p>20 Q. Where was it venued?</p> <p>21 A. The -- the law firm that</p> <p>22 retained me was in Texas. The economic</p> <p>23 activity that gave rise to the legal</p> <p>24 dispute was in Columbia. I don't know.</p>
<p style="text-align: right;">Page 259</p> <p>1 my testimony has been curtailed on</p> <p>2 occasion, I don't -- I do not -- I</p> <p>3 believe there's never been a case where</p> <p>4 my testimony has been completely</p> <p>5 excluded.</p> <p>6 Q. You're familiar with</p> <p>7 something called a Daubert motion?</p> <p>8 A. Yes, I am.</p> <p>9 Q. And so you've never been</p> <p>10 Dauberted? You've never been excluded as</p> <p>11 a result of a Daubert motion?</p> <p>12 A. Well, not to mince words.</p> <p>13 So I take it Dauberted means, the way I</p> <p>14 see it is, someone makes a motion to</p> <p>15 exclude the testimony. And I believe</p> <p>16 that has been done in my case. I don't</p> <p>17 believe a motion has ever been</p> <p>18 successful.</p> <p>19 Q. Okay. And what are the</p> <p>20 cases that you recall where your</p> <p>21 testimony has been curtailed?</p> <p>22 A. So I think that there was a</p> <p>23 case a long time ago in Texas called</p> <p>24 Seven Seas. I don't remember what it was</p>	<p style="text-align: right;">Page 261</p> <p>1 I don't know where -- what the</p> <p>2 jurisdiction of the court was.</p> <p>3 Q. And do you remember either</p> <p>4 of the parties' names?</p> <p>5 A. Yes. One party was named 7</p> <p>6 Seas, S-E-A-S, and the Number 7,</p> <p>7 S-E-V-E-N. I don't remember the other</p> <p>8 parties.</p> <p>9 Q. And you were retained on</p> <p>10 behalf of 7 Seas?</p> <p>11 A. I don't recall.</p> <p>12 Q. Any other cases that you</p> <p>13 recall in which your testimony was</p> <p>14 curtailed?</p> <p>15 A. There is a case on my list,</p> <p>16 there's -- of testimony, the Robinson</p> <p>17 case, and I believe that there were</p> <p>18 limitations placed on my testimony in</p> <p>19 that case, although I don't recall what</p> <p>20 they were. I think the case settled. I</p> <p>21 don't really -- I don't remember what the</p> <p>22 limitations were. I was -- my testimony</p> <p>23 was not prohibited, but there were -- it</p> <p>24 was -- there were certain limitations</p>